

S/N 10/764,428

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SIMMONS	Examiner:	P. HUYNH
Serial No.:	10/764,428	Group Art Unit:	1644
Filed:	JANUARY 23, 2004	Docket No.:	11669.120USU1
Confirmation No.:	6080	Customer No.:	23552
Title:	METHODS FOR PRODUCING HUMANIZED ANTIBODIES AND IMPROVING YIELD OF ANTIBODIES OR ANTIGEN BINDING FRAGMENTS IN CELL CULTURE		

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Please charge Deposit Account No. 13-2725 for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

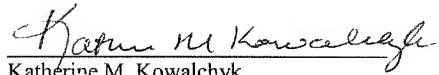
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
612.332.5300

Date Oct. 2, 2006

  
Katherine M. Kowalchuk  
Reg. No. 36,848  
KMK:sab

**23552**

PATENT TRADEMARK OFFICE

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 11669.120USUI	Application Number: 10/764,428
	Applicant: SIMMONS	
	Filing Date: 01/23/04	Group Art Unit: 1651

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,767,996 B1	07/27/2004	GORMAN ET AL.			
	7,098,006 B1	08/29/2006	GORMAN ET AL.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 549 581 B1	01/22/1997	EP				
	WQ 88/09344	12/01/1988	PCT				
	WO 90/07861	07/26/1990	PCT				
	WO 92/05274	04/02/1992	PCT				
	WO 04/06955	01/22/2004	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Tan et al., "Superhumanized Antibodies: Reduction of Immunogenic Potential by Complementarity-Determining Region Grafting with Human Germline Sequences: Application to an Anti-CD28", <u>The Journal of Immunology</u> , 169:1119-1125 (2002)

**23552**  
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	